

REMARKS

In the action of September 5, 2008, the examiner rejected claims 1 and the claims dependent thereon, as well as claims 13, 14, 17 and 18 under 35 U.S.C. § 112, first paragraph; rejected claims 13, and 17-19 under 35 U.S.C. § 103 as unpatentable over US 20040088912; and rejected claim 14 under 35 U.S.C. § 103 as unpatentable over US 20040088912 in view of Guilfoyle.

The examiner also, on page 3 of the action, suggested an alternative wording relative to claims 1, 13, 17 and 18.

In a telephone interview of October 10, 2008, the examiner indicated that amending claim 1 in accordance with the suggested wording would result in allowance of that claim. The examiner's suggested wording was discussed with respect to all of the independent claims, including the process claims. The rejection under 35 U.S.C. § 112 for classes 13, 17 and 18 would be withdrawn if those claims were amended similarly. Applicant's attorney suggested further amendment of the process claims to include the transitional language "consisting of". The examiner indicated that such an amendment would be considered relative to the rejection of the process claims. This statement is believed to satisfy the requirements of MPEP 713.04 and is responsive to the action dated October 17, 2008.

Applicant has amended claim 1 in accordance with the above. Hence, claim 1 and claims 2-5 and 9, which are dependent thereon, are allowable.

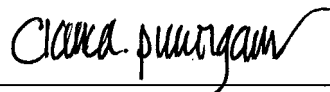
Applicant has amended independent claims 13, 17, and 18 in the same manner in response to the rejection of those claims under 35 U.S.C. §112. That rejection should now be withdrawn.

With respect to the rejection of claims 13 and 17-19 over Madamour, note that claims 13 and 17 have been amended to use the "consisting of" transitional language, thereby excluding the addition of a binder material in the forming of the "elongated log" of claim 13 and in the forming of the "elongated form" of claim 17. Those claims are now also allowable, as well as any claims dependent thereon. Claim 18 is believed to not require the "consisting of" language in the preamble, since the "processed solid fuel composition" is "closed" due to

“consisting of” language, thereby excluding a binder, and since the other process steps do not involve forming the composition. The novelty is in the use of the particular solid fuel composition, which excludes a binder by virtue of the “consisting of” language. Unlike claims 13 and 17, claim 18 does not involve a process of forming the composition. The “consisting of” language is in its proper place, relative to the solid fuel composition itself. Accordingly, claim 18 is allowable over the references, as is claim 19, which is dependent thereon.

In view of the above, allowance of the application is now respectfully requested.

Respectfully submitted,



Clark A. Puntigam,
Registration No. 25,763

JENSEN & PUNTIGAM, P.S.
2033 6th Avenue, Suite 1020
Seattle, WA 98121-2584
E-mail: clark@jensenpuntigam.com
Tel. (206) 448-3200 / FAX (206) 441-5514

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